

SUMTER COUNTY ZONING AND ADJUSTMENT BOARD

August 3, 2009

CASE NO. S2009-0012

APPLICANT: FE & Kathleen Stephens

REPRESENTATIVE: Verizon Wireless/Laura Belflower, P.A.

REQUESTED ACTION: Minor Special Use Permit to allow a 199' telecommunication tower.

LEGAL DESCRIPTION: See Attached Exhibit "A" – Lessee's Premises

EXISTING ZONING: A5

FUTURE LAND USE: Agriculture

EXISTING USE: Residence and Pasture

PARCEL SIZE: 6.94 acres (to be utilized 100' x 100')

GENERAL LOCATION: Nobleton

COMMISSIONER'S DISTRICT: Garry Breeden

CASE SUMMARY:

The proposed 199 foot telecommunications tower will be located on a 100 foot by 100 foot leased portion of a 6.94 acre property located on CR 663 in Nobleton.

CASE ANALYSIS:

The proposed use is allowable as a special exception under Section 5.311 of Table 13-362A of the Principal Uses.

The proposed use complies with Section 13-143 and Section 13-764 of the Sumter County Land Development Code in that:

- The use will be in harmony with the purpose and intent of the Land Development Code and it will not create adverse impacts to the surrounding properties.
- The proposed use will not adversely affect the public interest.
- The site plan submitted provided adequate area for traffic circulation and access for the property.
- The applicant is leasing an area, including an additional setback easement, for the required fall radius to be within the area controlled by the applicant.
- The applicant has demonstrated that there are no other existing or approved communication towers that meet the technical requirements of this communication tower.

- The location, construction, operation, and maintenance of the proposed use shall have no more than a minimal adverse affect on the environment and public health, safety, and welfare.

DIVISION OF PLANNING & DEVELOPMENT STAFF CONCLUSIONS:

Staff finds the application in compliance with the minimum requirements of the Sumter County Land Development Code and recommends approval.

Notices Sent: 8 (In objection) 0 (In favor) 2

Zoning & Adjustment Board Secretary: _____

Exhibit "A"
(Legal Description)
Page 1 of 2

LESSOR'S PROPERTY:

THE SOUTH 420 FEET OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 21 EAST, SUMTER COUNTY, FLORIDA, LESS AND EXCEPT THE EAST 518.57 FEET THEREOF; ALSO LESS THE WEST 25 FEET THEREOF FOR ROAD RIGHT OF WAY.

LESSEE'S PREMISES:

A PORTION OF THE SOUTH 420 FEET OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 21 EAST, SUMTER COUNTY, FLORIDA, LESS AND EXCEPT THE EAST 518.57 FEET THEREOF; ALSO LESS THE WEST 25 FEET THEREOF FOR ROAD RIGHT OF WAY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 SAID SECTION 19; THENCE NORTH 89°37'48" EAST, A DISTANCE OF 25.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD 663; THENCE NORTH 00°22'12" WEST, A DISTANCE OF 166.14 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE, NORTH 89°37'48" EAST, DISTANCE OF 100.00 FEET; TO THE POINT OF BEGINNING; THENCE NORTH 00°22'12" WEST, A DISTANCE OF 37.50 FEET; THENCE NORTH 89°37'48" EAST, A DISTANCE OF 100.00 FEET; THENCE SOUTH 00°22'12" EAST, A DISTANCE OF 100.00 FEET; THENCE SOUTH 89°37'48" WEST, A DISTANCE OF 100.00 FEET; THENCE NORTH 00°22'12" WEST, A DISTANCE OF 62.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.2295 ACRES OR 10000 SQUARE FEET, MORE OR LESS.

Together with:

INGRESS/EGRESS & UTILITY EASEMENT

A PORTION OF THE SOUTH 420 FEET OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 21 EAST, SUMTER COUNTY, FLORIDA, LESS AND EXCEPT THE EAST 518.57 FEET THEREOF; ALSO LESS THE WEST 25 FEET THEREOF FOR ROAD RIGHT OF WAY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 SAID SECTION 19; THENCE NORTH 89°37'48" EAST, A DISTANCE OF 25.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD 663; THENCE NORTH 00°22'12" WEST, A DISTANCE OF 141.14 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00°22'12" WEST, A DISTANCE OF 25.00 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE, NORTH 89°37'48" EAST, DISTANCE OF 100.00 FEET; THENCE SOUTH 00°22'12" EAST, DISTANCE OF 25.00 FEET; THENCE SOUTH 89°37'48" WEST, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.0573 ACRES OR 2500 SQUARE FEET, MORE OR LESS.

and

SITE NAME: Nobleton Stephens
SITE NUMBER: 88255-5

Exhibit "A"
Page 2 of 2

SETBACK EASEMENT

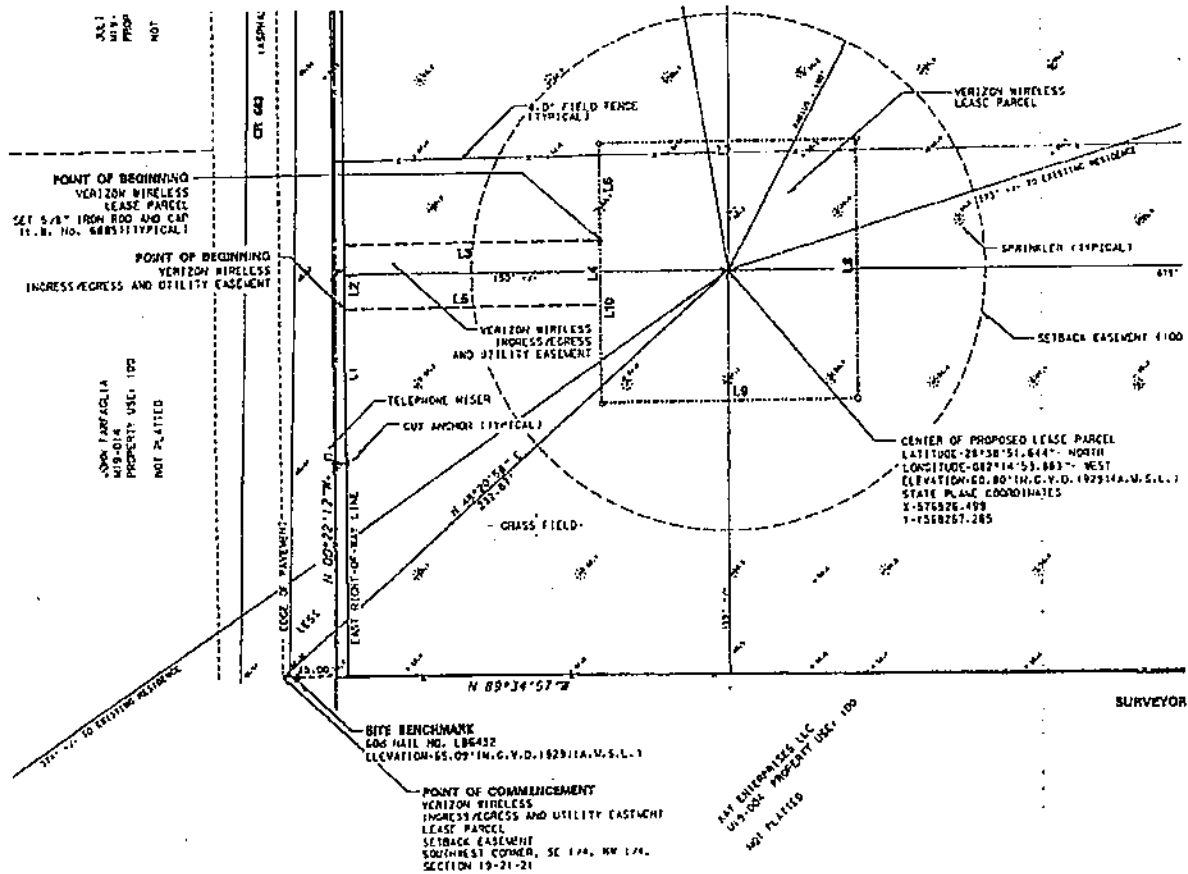
A SETBACK EASEMENT BEING CIRCULAR WITH A RADIUS DISTANCE OF 100 FEET AND BEING A PORTION OF THE SOUTH 420 FEET OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 21 SOUTH, RANGE 21 EAST, SUMTER COUNTY, FLORIDA, LESS AND EXCEPT THE EAST 518.57 FEET THEREOF; ALSO LESS THE WEST 25 FEET THEREOF FOR ROAD RIGHT OF WAY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 SAID SECTION 19; THENCE NORTH 48°20'58" EAST, A DISTANCE OF 232.87 FEET TO THE CENTER OF SAID CIRCULAR SETBACK EASEMENT HAVING A RADIUS DISTANCE OF 100.00 FEET.

CONTAINING 0.7212 ACRES OR 31415 SQUARE FEET, MORE OR LESS.

SITE NAME: Nobleton Stephens
SITE NUMBER: 88255-5

Exhibit "B"
(Sketch of Premises within Property)



LESSEE herein referred to as "Verizon Wireless"



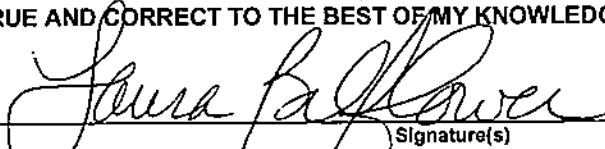
**SUMTER COUNTY
ZONING AND ADJUSTMENT BOARD**

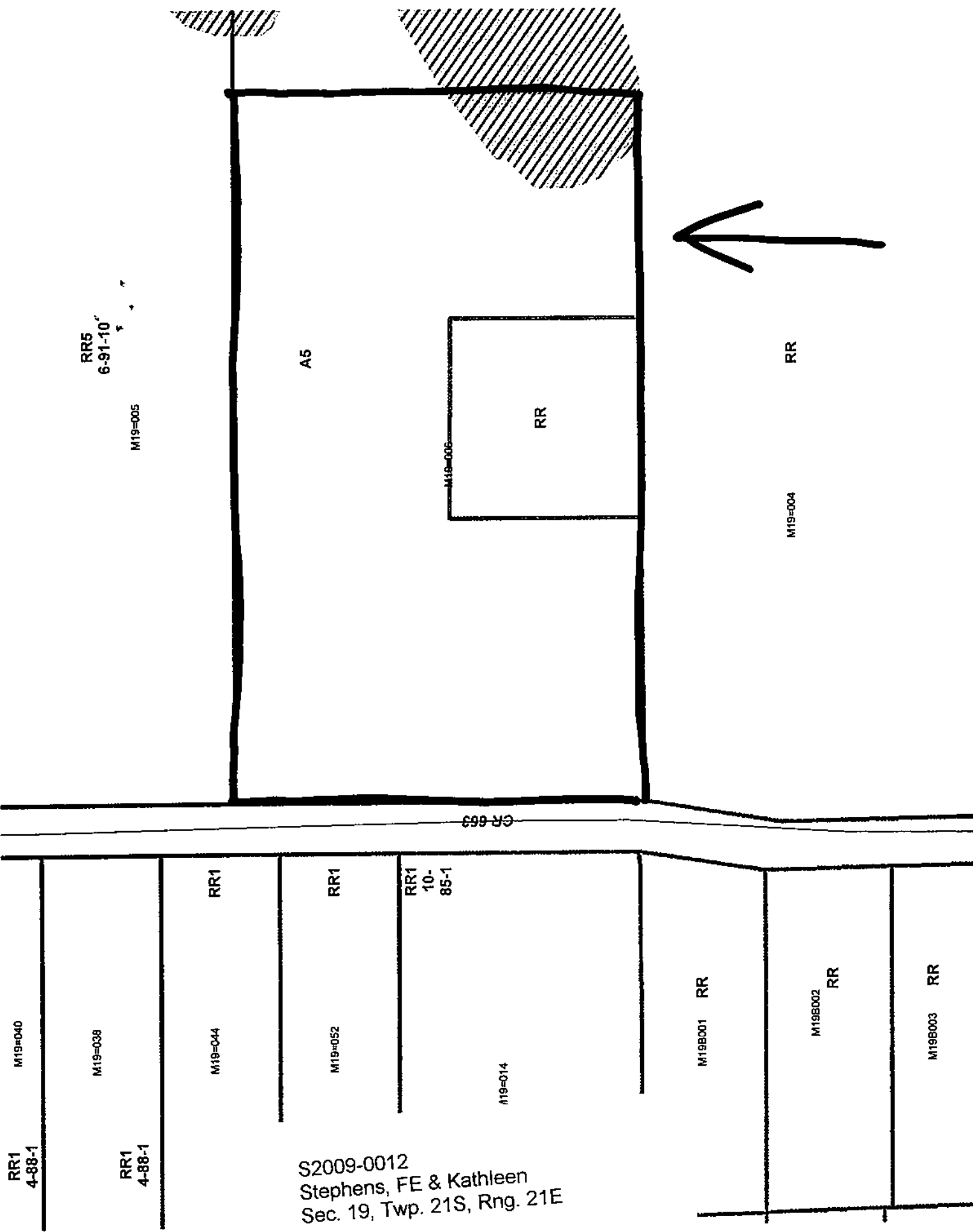
910 N. Main Street, Suite 301, Bushnell, FL 33513
Tel. (352) 793-0270 Fax (352) 793-0274

Project No: S2009-0012

Application: 6/23/2009 SMC

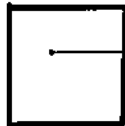
SUP

PROJECT TYPE SUP		PROJECT SUBTYPE Minor		PROJECT DESCRIPTION SPECIAL USE PERMIT TO ALLOW A 199' COMMU	
OWNER STEPHENS, F E & KATHLEEN		ADDRESS 7493 CR 663, BUSHNELL, FL 33513		PHONE (352) 793-5532	
AGENT/APPLICANT LAURA BELFLOWER		ADDRESS PO BOX 47451, TAMPA, FL 33646		PHONE (813) 971-5505	
PARCEL # M19-006	SEC/TWP/RNG 192121	GENERAL BUSHNELL	DIRECTIONS TO PROPERTY W ON C-476. N ON CR 663. PROPERTY APPROXIMATELY 1/2 MILE ON E SIDE.		
Property Address 7261 CR 663, Bushnell, FL 33513			LEGAL DESCRIPTION S 420 FT OF SE 1/4 OF NW 1/4 LES S E 518.57 FT THEREOF & LESS W 25 FT THEREOF		
PARCEL SIZE 6.94 ACRES MOL		F.L.U. RUR	LEGAL DESCRIPTION S 420 FT OF SE 1/4 OF NW 1/4 LES S E 518.57 FT THEREOF & LESS W 25 FT THEREOF		
PRESENT ZONING A5 & RR		PRESENT USE RES	LEGAL DESCRIPTION TO BE UTILIZED A PORTION OF THE S 420' OF SE 1/4 OF NW 1/4 LESS AND EXCEPT THE E 518.57' ALSO LESS THE W 25' FOR RD R/W MORE PART DESCRIBED AS FOLLOWS: COMMENCE AT SW COR OF SE 1/4 OF NW 1/4 E 25' TO THE E R/W OF CR 663 THENCE N 166.14' E 100' TO POB THENCE N 37.5' E 100' S 100' W 100' N 62.5' TO POB		
ABUTTING PROPERTY ZONING/USE F.L.U.	NORTH RR5/RES RUR	EAST RR/VACANT RUR	SOUTH RR/VACANT RUR	WEST RR1/ RES RUR	
As owner/agent, I agree to post the hearing plaques within 24 hours on the property's road frontage at the corners and at 300' intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Development Code, and my payment of the non-refundable application fee will not influence the decision made on this application.					
UNDER PENALTIES OF PERJURY, I DECLARE THE ABOVE INFORMATION THAT I HAVE GIVEN TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.					
 Signature(s)				June 23, 2009 Date	
A Public Hearing before the Zoning and Adjustment Board will be held on the date indicated below in the Sumter County Courthouse, Bushnell, FL. This application will be heard at the time indicated below. Your appearance or representation at this hearing is required, and lack of same will cause your application to be disposed of according to the policy adopted by the Board of County Commissioners. The recommendation of the Zoning and Adjustment Board on this request will be presented to the Board of County Commissioners at a Public Hearing to be held at the date/time indicated below in the Sumter County Courthouse, Bushnell, FL, room number indicated below.					
Zoning and Adjustment Board		8/3/2009 6:30 PM Room: 142		Action: _____	
NOTICES SENT		RECEIVED IN FAVOR		RECEIVED OBJECTING	
Please Note: In preparation of the application, county zoning staff will visit the site to take photographs. This will be done in county-marked vehicles. Generally, staff will take photographs from the roadway or easement, and will not come on site unless access requires it.					



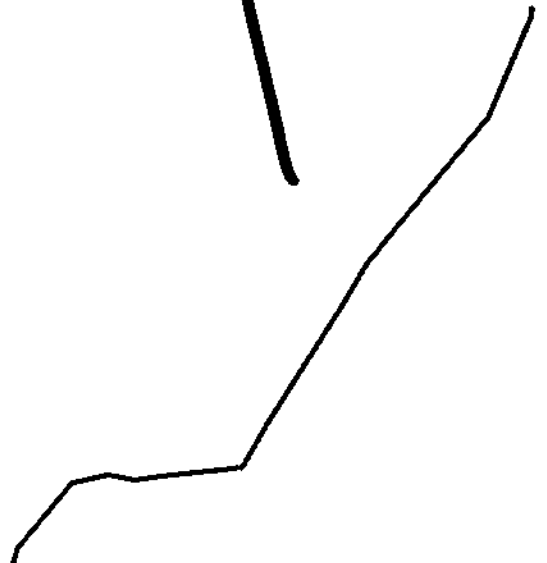
S2009-0012
Stephens, FE & Kathleen
Sec. 19, Twp. 21S, Rng. 21E

M19=006



To be utilized

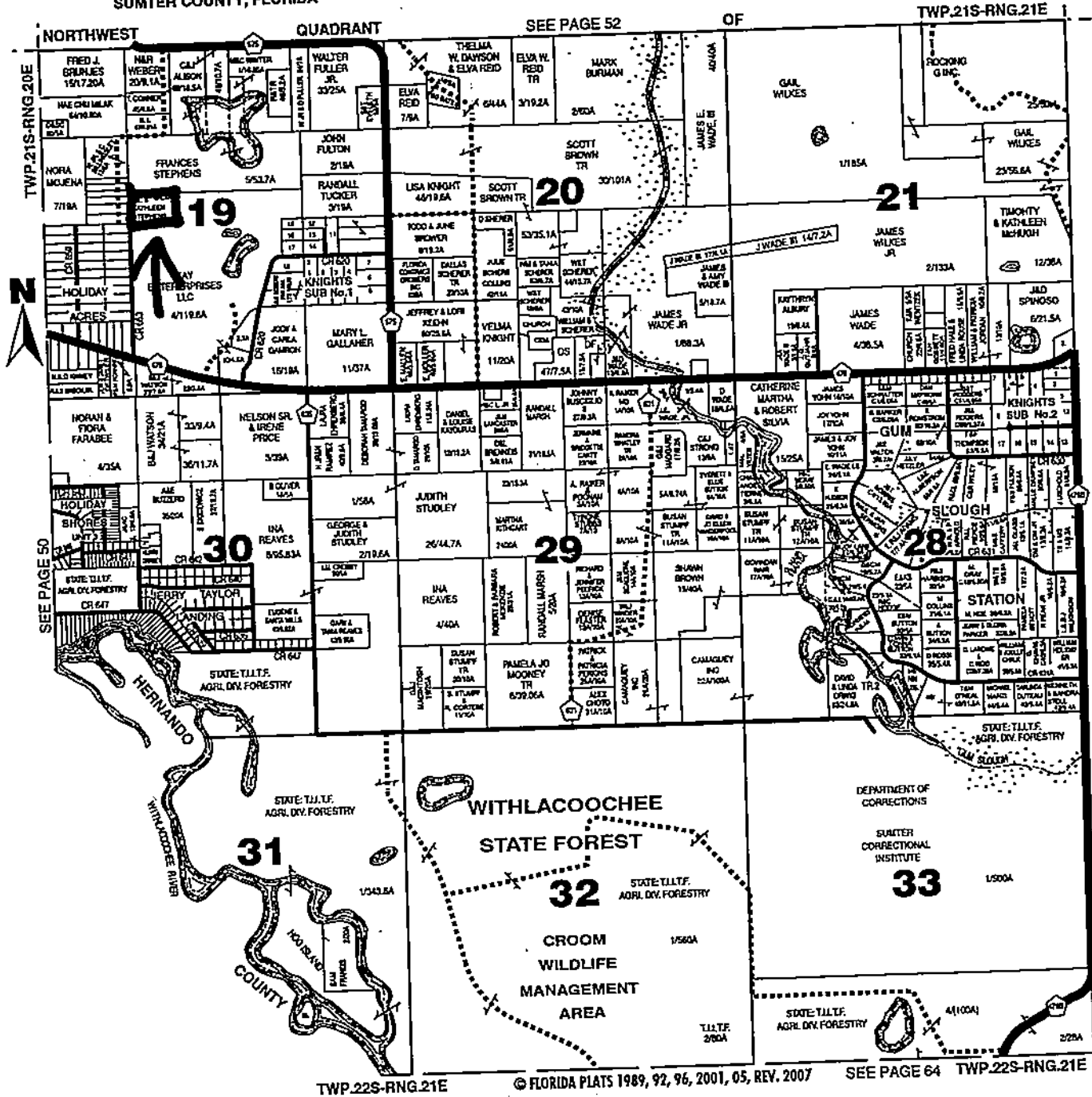
S2009-0012
Stephens, FE & Kathleen
Sec. 19, Twp. 21S, Rng. 21E



TWP.21S-RNG.21E

SOUTHWEST QUADRANT
SUMTER COUNTY, FLORIDA

0 660 1320 1980 2640 5280
SCALE OF FEET
0 1/2
SCALE OF MILES



TWP.22S-RNG.21E

© FLORIDA PLATS 1989, 92, 96, 2001, 05, REV. 2007

SEE PAGE 64 TWP.22S-RNG.21E

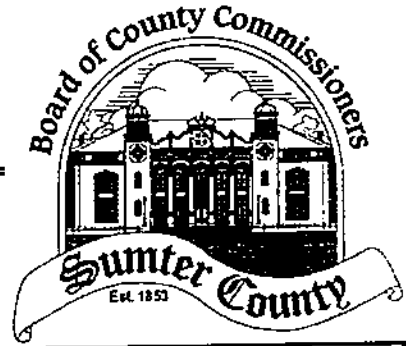
S2009-0012
Stephens, FE & Kathleen
Sec. 19, Twp. 21S, Rng. 21E

Board of County Commissioners

Division of Planning & Development

Development Review

910 N. Main Street, Suite 301 • Bushnell, FL 33513 • Phone (352) 793-0270 x2477
FAX: (352) 793-0274 • Website: <http://sumtercountyfl.gov/plandevlop>



Development Application

☒ Minor Development ☐ Medium Development ☐ Major Development

1. Parcel #: M19=006 Project Name: Verizon Wireless- Stephens-Nobleton
2. Owner's Name: Frank E. and Kathleen J. Stephens
Mailing Address: 7493 CR 633 Bushnell, FL 33513
Telephone Number: () _____ Fax Number: () _____
E-mail: _____
3. Representative's Name: Verizon Wireless, c/o Laura B. Belflower, P.A.
Mailing Address: P.O. Box 47451, Tampa, FL 33646
Telephone Number: (813) 971-5505 Fax Number: (813) 972-4411
E-mail: belflower@lbbpa.com
4. Developer's Name: _____ Contact Person: _____
Mailing Address: _____
Telephone Number: () _____ Fax Number: () _____
E-mail: _____
5. Engineering Firm: Alles Design Corp. Contact Person: Tim Alles
Mailing Address: 7117 Wareham Drive, Tampa, FL 33647
Telephone Number: () _____ Fax Number: () _____
E-mail: _____
6. Property Description: Section: 19 Township: 21 South Range: 21 East
Legal Description (a current tax bill, property record, or current recorded deed must be attached):
see attached
8. Existing Zoning: A-5 Future Land Use: _____
9. Have any previous zoning applications been approved in connection with this property (Conditional, Special, or Temporary Use Permit, Variance, or Rezoning)? ☐ Yes ☐ No
If yes, please provide the property owner's name at the time of application: _____
10. Brief narrative of proposed development, e.g. proposed size, occupancy, number of lots:
lattice communications tower and equipment (199 feet to top of all appurtenances)

10. Location of proposed development: 7493 CR 663 Bushnell, FL 33513

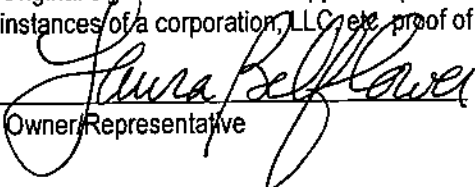
11. Water and Sewer will be provided by: N/A - none required

Note: Documentation from the utility provider is required.

12. For subdivisions only: Will the infrastructure be installed prior to approval of the final plat?

☐ Yes ☐ No ☐ Not Applicable

13. Original signature of owner/applicant (Must be owner(s) of record or agent with notarized written authorization; in instances of a corporation, LLC etc. proof of signing authority shall be attached to this application):


Owner/Representative

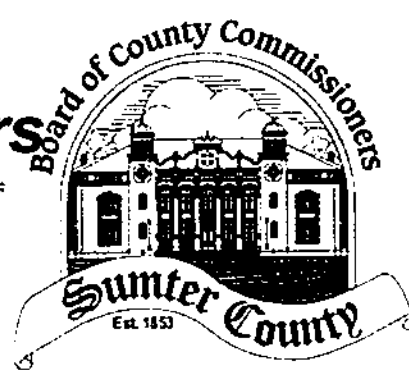
6-22-09
Date

Board of County Commissioners

Division of Planning & Development

Planning Services

910 N. Main Street, Suite 301 • Bushnell, FL 33513 • Phone (352) 793-0270 • FAX: (352) 793-0274
SunCom: 665-0270 • Website: <http://sumtercountyfl.gov/plandevlop>



Authorization Form for Individuals

State of Florida

County of SUMTER

I/we, the undersigned as the () Applicant () Owner hereby authorize Verizon Wireless
through Laura B. Belflower, P.A. to act as my/our agent in connection with the ()
Rezoning () Comprehensive Plan Amendment (X) Special Use Permit () Temporary
Use Permit
() Conditional Use Permit () Operating Permit () Other: _____

on the following described property located in Sumter County, Florida:

Parcel number M19-005.

Dated this 19 day of September, 2008.

Signature

Printed Name: FRANK E STEPHENS

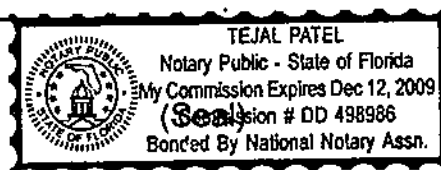
Signature

Printed Name: KATHLEEN STEPHENS

SWORN TO and subscribed before me this 19th day of September,
2008, by FRANK E KATHLEEN STEPHENS
personally known to me to the person(s) named above or who produced the following
identification: DL FL

Notary Public, State of Florida

My Commission expires: 2/12/09



Roberta Rogers, Director
Planning and Development
(352) 793-0270

Bradley Cornelius
Planning Manager
(352) 569-6027

Sandra Howell,
County Administrator
(352) 793-0200
209 North Florida Street
Bushnell, FL 33513

Richard "Dick" Hoffman, Dist 1
Vice Chairman
(352) 753-1592 or 793-0200
209 North Florida Street
Bushnell, FL 33513

Doug Gilpin, Dist 2
(352) 793-0200
209 North Florida Street
Bushnell, FL 33513

Michael E. Francis, Dist 3
Chairman
(352) 753-1592 or 793-0200
209 North Florida Street
Bushnell, FL 33513

Garry Breeden, Dist 4
(352) 793-0200
209 North Florida Street
Bushnell, FL 33513

Randy Mask, Dist 5
Office: (352) 793-0200
Home: (352) 793-3930
209 North Florida Street
Bushnell, FL 33513

AGENT AUTHORIZATION

I hereby authorize Laura B. Belflower, P.A. to act as agent for Verizon Wireless in the application for any governmental regulatory reviews required for a communications tower on the parcel with the parcel number M19-006 in Sumter County, Florida.

Verizon Wireless Personal Communications LP,
d/b/a Verizon Wireless

By: Janice Lopilato

Title: Project Implementation Manager

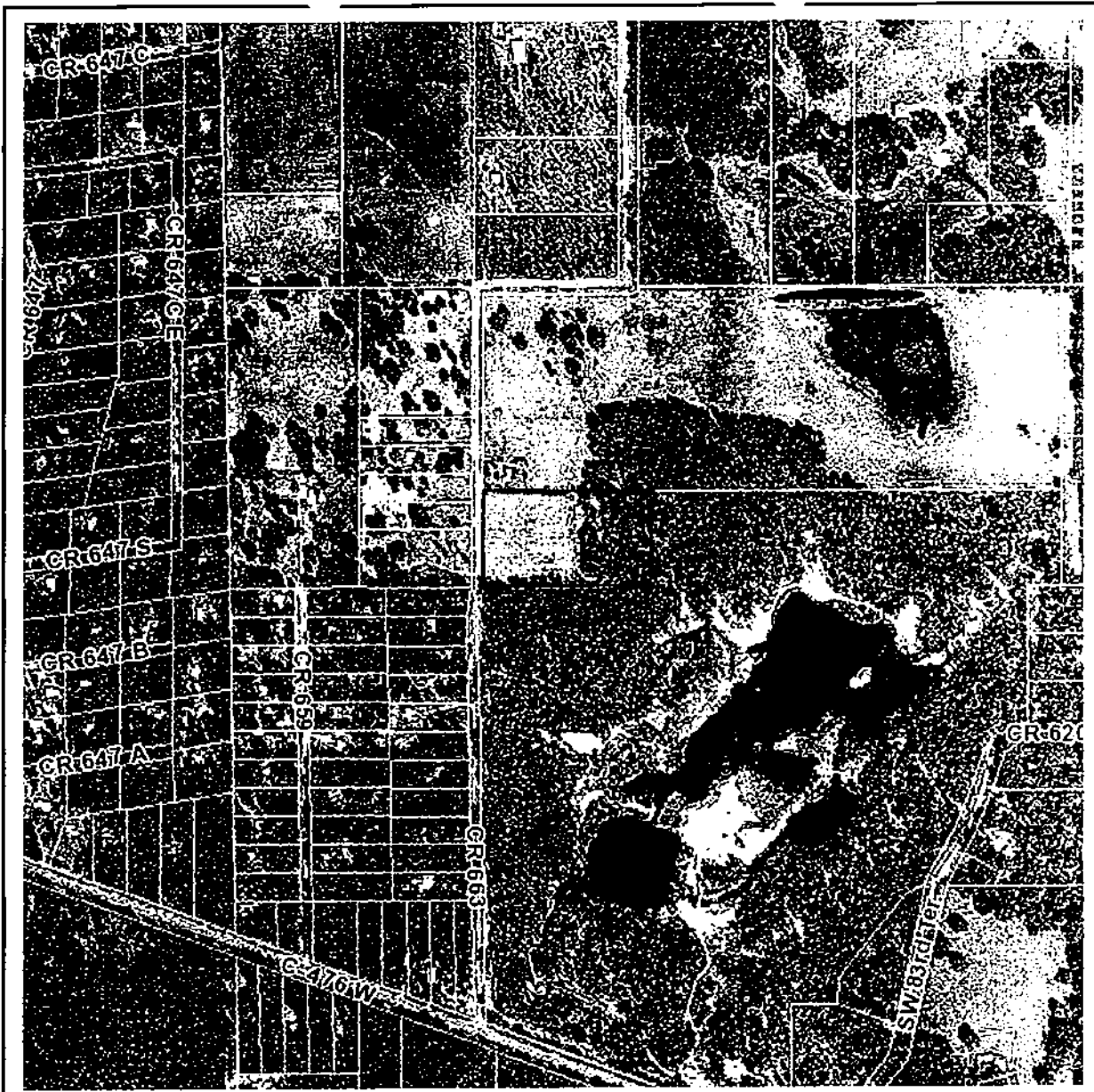
STATE OF FLORIDA

COUNTY OF Hillborough

The foregoing document was acknowledged before me this 25 day of May, 2009,
by Janice Lopilato, who is personally known to me.

NOTARY PUBLIC-STATE OF FLORIDA
Felicia A. Seriel
Commission #DD685117
Expires: JULY 30, 2011
BONDED THRU ATLANTIC BONDING CO., INC.

Felicia A. Seriel
(Print Name) Felicia A. Seriel
Notary Public
My Commission Expires: 7/30/11



Sumter County Property Appraiser

Ronnie Hawkins, CFA - Bushnell, Florida - 352-793-0210

PARCEL: -

Name:	LandVal
Site:	JustVal
Mail:	Assd
Sales	Exmpt
Info	Taxable

NONE

0 0.030.060.090.12 0.15 mi



This information, GIS Map Updated: 6/12/2009, was derived from data which was compiled by the Sumter County Property Appraiser Office solely for the governmental purpose of property assessment. This information should not be relied upon by anyone as a determination of the ownership of property or market value. No warranties, expressed or implied, are provided for the accuracy of the data herein, it's use, or it's interpretation. Although it is periodically updated, this information may not reflect the data currently on file in the Property Appraiser's office. The assessed values are NOT certified values and therefore are subject to change before being finalized for ad valorem assessment purposes.

0 2333ft

1000

Map Unit Legend

Sumter County, Florida (FL119)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1	Arredondo fine sand, 0 to 5 percent slopes	2,355.1	0.6%
3	Astatula fine sand, rolling	521.7	0.1%
4	Candler sand, 0 to 5 percent slopes	20,245.2	5.5%
5	Candler sand, 5 to 8 percent slopes	2,215.4	0.6%
6	Kendrick fine sand, 0 to 5 percent slopes	1,338.1	0.4%
8	Lake fine sand, 0 to 5 percent slopes	6,271.8	1.7%
9	Paisley fine sand, bouldery subsurface	19,241.6	5.2%
10	Sparr fine sand, 0 to 5 percent slopes	4,396.7	1.2%
11	Millhopper sand, 0 to 5 percent slopes	6,182.8	1.7%
13	Tavares fine sand, 0 to 5 percent slopes	10,609.0	2.9%
14	Lake fine sand, 5 to 8 percent slopes	335.7	0.1%
15	Adamsville fine sand, bouldery subsurface	8,192.4	2.2%
16	Apopka fine sand, 0 to 5 percent slopes	2,058.1	0.6%
17	Sumterville-Mabel-Tavares association, bouldery subsurface, 0 to 5 percent slopes	472.8	0.1%
18	Okeelanta muck	2,960.9	0.8%
19	Apopka fine sand, 5 to 8 percent slopes	1,133.7	0.3%
20	Florahome sand, 0 to 5 percent slopes	1,523.5	0.4%
21	EauGallie fine sand, bouldery subsurface	21,898.1	5.9%
22	Smyrna fine sand	2,177.5	0.6%
23	Ona fine sand	9,761.7	2.6%
24	Basinger fine sand	451.7	0.1%
25	Kanapaha sand, bouldery subsurface	9,133.3	2.5%
26	Wabasso fine sand, bouldery subsurface	16,720.7	4.5%
27	Sumterville fine sand, bouldery subsurface, 0 to 5 percent slopes	7,471.2	2.0%
28	Seffner fine sand	7,546.4	2.0%
29	Nittaw muck, frequently flooded	7,540.1	2.0%
30	Placid fine sand, depressional	7,626.9	2.1%
31	Myakka sand	5,213.7	1.4%
32	Pompano fine sand	3,344.0	0.9%
33	Sparr fine sand, bouldery subsurface, 0 to 5 percent slopes	22,516.9	6.1%
34	Tarrytown sandy clay loam, bouldery subsurface	1,062.4	0.3%
35	Pompano fine sand, depressional	1,953.1	0.5%
36	Floridana mucky fine sand, depressional	15,333.9	4.1%

Sumter County, Florida (FL119)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
37	Astatula fine sand, 0 to 8 percent slopes	6,480.3	1.7%
39	Mabel fine sand, bouldery subsurface, 0 to 5 percent slopes	3,639.9	1.0%
40	Millhopper sand, bouldery subsurface, 0 to 5 percent slopes	10,566.8	2.8%
41	Everglades muck, frequently flooded	5,861.1	1.6%
42	Adamsville fine sand	3,968.2	1.1%
43	Basinger fine sand, depressional	3,030.6	0.8%
44	Oldsmar fine sand, bouldery subsurface	3,859.1	1.0%
45	Electra fine sand, bouldery subsurface	835.8	0.2%
46	Ft. Green fine sand, bouldery subsurface	12,227.5	3.3%
47	Okeelanta muck, frequently flooded	7,061.0	1.9%
48	Malabar fine sand, frequently flooded	2,113.0	0.6%
49	Terra Ceia muck, frequently flooded	4,005.4	1.1%
50	Immokalee sand	3,264.1	0.9%
51	Pits-Dumps complex	2,171.6	0.6%
52	Candler sand, 8 to 12 percent slopes	610.8	0.2%
53	Tavares fine sand, bouldery subsurface, 0 to 5 percent slopes	3,952.4	1.1%
54	Monteocha fine sand, depressional	4,148.3	1.1%
55	Pomello fine sand, 0 to 5 percent slopes	850.3	0.2%
56	Wabasso fine sand, depressional	1,240.8	0.3%
57	Gator muck, frequently flooded	10,486.9	2.8%
58	Paisley fine sand, depressional	1,062.8	0.3%
59	Aren'ts, organic substratum	73.3	0.0%
60	Delray fine sand, depressional	12,035.1	3.2%
61	EauGallie fine sand	14,214.8	3.8%
62	Urban land	661.8	0.2%
63	Floridana-Basinger association, frequently flooded	4,347.3	1.2%
64	Gator muck	1,407.7	0.4%
65	Candler sand, bouldery subsurface, 0 to 5 percent slopes	2,983.7	0.8%
66	Arredondo fine sand, bouldery subsurface, 0 to 5 percent slopes	2,827.0	0.8%
67	Wabasso fine sand	3,102.2	0.8%
68	Chobee loamy fine sand, frequently flooded	758.1	0.2%
99	Water	7,665.1	2.1%
Totals for Area of Interest		371,318.7	100.0%

Verizon Wireless – Nobleton
Minor Special Use
Supporting Materials

- (1) Estimated traffic generated by the development and preliminary analysis of impact on existing facilities.

The facility will generate approximately two trips per month per carrier on the tower. Therefore, the facility would have a minimum impact on existing facilities.

- (2) General description of proposed handling and disposal of nondomestic solid waste and hazardous gases, liquids and other materials, if applicable. Include any air emission sources.

No solid waste will be produced by the facility. The emergency generator(s) will use either propane or diesel as fuel for the emergency power source.

- (3) A listing of all permit applications which applicant anticipates submitting to federal, state, regional and local permitting agencies.

The facility will require a water management district permit or exemption.

- (4) General soils map of project area, at scale of 1"=2,000', with subject property delineated.

See attached.

- (5) The general nature of covenants, grants, easements, or other restrictions to be imposed on the use of the land, buildings, and structures.

The tower compound is in a leased parcel, the "setback area" of ½ of the tower height will be encumbered by an easement, and the access to the tower area will be through an easement.

- (6) A listing of all variations from the requirements of this chapter presented by this application.

No variances are being requested.

- (7) Any additional information the applicant deems appropriate for review of the use permit application.

The information demonstrating compliance with the County's tower regulations are attached.

SITE NAME: Nobleton Stephens
SITE NUMBER: 88255-5

Upon Recording, Return to:

Tirso M. Carreja, Jr., Esq.
Fowler White Boggs P.A.
501 E. Kennedy Blvd., Suite 1700
Tampa, Florida 33602

STATE OF FLORIDA)
)
COUNTY OF SUMTER)

MEMORANDUM OF LAND LEASE AGREEMENT

This Memorandum of Land Lease Agreement (the "Memorandum") is made this 19 day of June, 2009, between Frank E. Stephens a/k/a F. E. Stephens and Kathleen J. Stephens, husband and wife, with their principal address located at 7493 CR 663, Bushnell, Florida 33513, hereinafter designated LESSOR, and Verizon Wireless Personal Communications LP, a Delaware limited partnership d/b/a Verizon Wireless, with its principal office located at One Verizon Way, Mail Stop 4AW100, Basking Ridge, New Jersey 07920, hereinafter designated LESSEE. The LESSOR and LESSEE are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

1. LESSOR and LESSEE entered into a Land Lease Agreement (the "Agreement") on June 19, 2009 for an initial term of five (5) years, commencing on the Commencement Date. The Agreement shall automatically be extended for four (4) additional five (5) year terms unless the LESSEE terminates it at the end of the then current term by giving the LESSOR written notice of the intent to terminate at least six (6) months prior to the end of the then current term. If at the end of the fourth (4th) five (5) year extension term the Agreement has not been terminated by either Party by giving to the other written notice of an intention to terminate it at least three (3) months prior to the end of such term, this Agreement shall continue in force upon the same covenants, terms and conditions for a further term of five (5) years and for five (5) year terms thereafter until terminated by either Party by giving to the other written notice of its intention to so terminate at least three (3) months prior to the end of such term.
2. LESSOR hereby leases to LESSEE a portion of that certain parcel of property (the entirety of LESSOR's property is referred to hereinafter as the "Property" as more particularly described in O.R. Book 119, Page 100 of the Public Records of Sumter County, Florida), located at 7493 CR. 663, Bushnell, Sumter County, Florida 33513, and being described as a 100' by 100' parcel containing ten thousand (10,000) square feet, together with the non-exclusive right for ingress and egress, seven (7) days a week twenty-four (24) hours a day, on foot or motor vehicle, including trucks, and for the installation and maintenance of utility wires, poles, cables, conduits, and pipes over, under, or along a twenty-five (25) foot wide right-of-way extending from the nearest public right-of-way, County Road 663 to the demised premises. The demised premises and right-of-way are hereinafter collectively referred to as the "Premises". The Premises are described in Exhibit A attached hereto and made a part hereof, and as shown on the sketch attached hereto and incorporated herein as Exhibit B. In the event any public utility is unable to use the aforementioned right-of-way,

LESSOR has agreed to grant an additional right-of-way either to the LESSEE or to the public utility at no cost to the LESSEE.

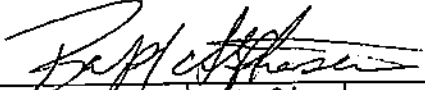
3. The Commencement Date of the Agreement, of which this is a Memorandum, is based upon the date LESSEE is granted a building permit by the governmental agency charged with issuing such permits, or the date of execution of the Agreement by the Parties, whichever is later. In the event the date at which LESSEE is granted a building permit or the date of execution of the Agreement, whichever is applicable, falls between the 1st and 15th of the month, the Agreement shall commence on the 1st of that month and if such date falls between the 16th and 31st of the month, then the Agreement shall commence on the 1st day of the following month (either the "Commencement Date").
4. LESSEE has the right of first refusal to purchase the Premises during the initial term and all renewal terms of the Agreement.
5. The terms, covenants and provisions of the Agreement, the terms of which are hereby incorporated by reference into this Memorandum, shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of LESSOR and LESSEE.

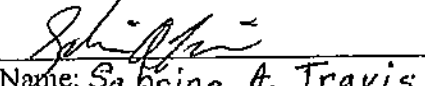
<Signature Page to Follow>

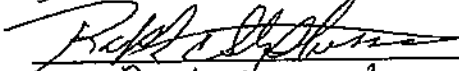
SITE NAME: Nobleton Stephens
SITE NUMBER: 88255-5

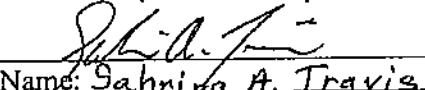
IN WITNESS WHEREOF, hereunto and to a duplicate hereof, LESSOR and LESSEE have caused this Memorandum to be duly executed on the date first written hereinabove.

WITNESSES:

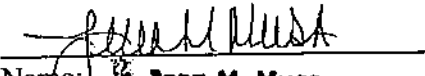

Name: Ralph C. Stephenson



Name: Sabrina A. Travis


Name: Ralph C. Stephenson

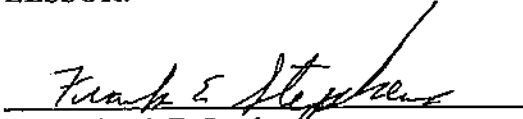

Name: Sabrina A. Travis

WITNESSES:

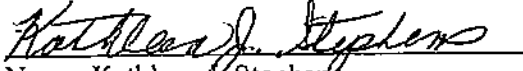

Name: Jean M. Musa


Name: Hans F. Leutenegger
Susan E. Long

LESSOR:


Name: Frank E. Stephens

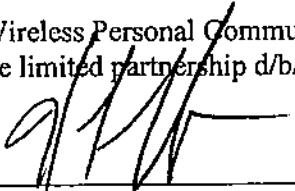
Date: 5-15-09


Name: Kathleen J. Stephens

Date: 5-15-09

LESSEE:

Verizon Wireless Personal Communications LP,
a Delaware limited partnership d/b/a Verizon Wireless

By: 
Name: Hans F. Leutenegger
Title: Area Vice President Network
Date: 6-19-09

STATE OF FLORIDA)
COUNTY OF Sumter)

ACKNOWLEDGEMENT

I, Juretta L. Stephenson a Notary Public for said County and State, do hereby certify that Frank E. Stephens and Kathleen J. Stephens, husband and wife, personally came before me this day and acknowledged that they, being authorized to do so, executed this Memorandum in their individual capacities.

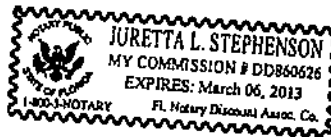
WITNESS my hand and official Notarial Seal, this 15th day of May, 2009.

Juretta L. Stephenson

Notary Public

My Commission Expires:

March 6, 2013



STATE OF NORTH CAROLINA)
COUNTY OF MECKLENBURG)

ACKNOWLEDGMENT

I, Lynne Carlisle a Notary Public for said County and State, do hereby certify that Hans F. Leutenegger, personally came before me this day and acknowledged that he is the Area Vice President Network of Verizon Wireless Personal Communications LP, a Delaware limited partnership d/b/a Verizon Wireless, and that he, as Area Vice President Network, being authorized to do so, executed this Memorandum on behalf of Verizon Wireless Personal Communications LP, a Delaware limited partnership d/b/a Verizon Wireless.

WITNESS my hand and official Notarial Seal, this 19 day of June, 2009.

LYNNE CARLISLE
Notary Public, North Carolina
Mecklenburg County
My Commission Expires
March 20, 2011

My Commission Expires:

Lynne Carlisle
Notary Public

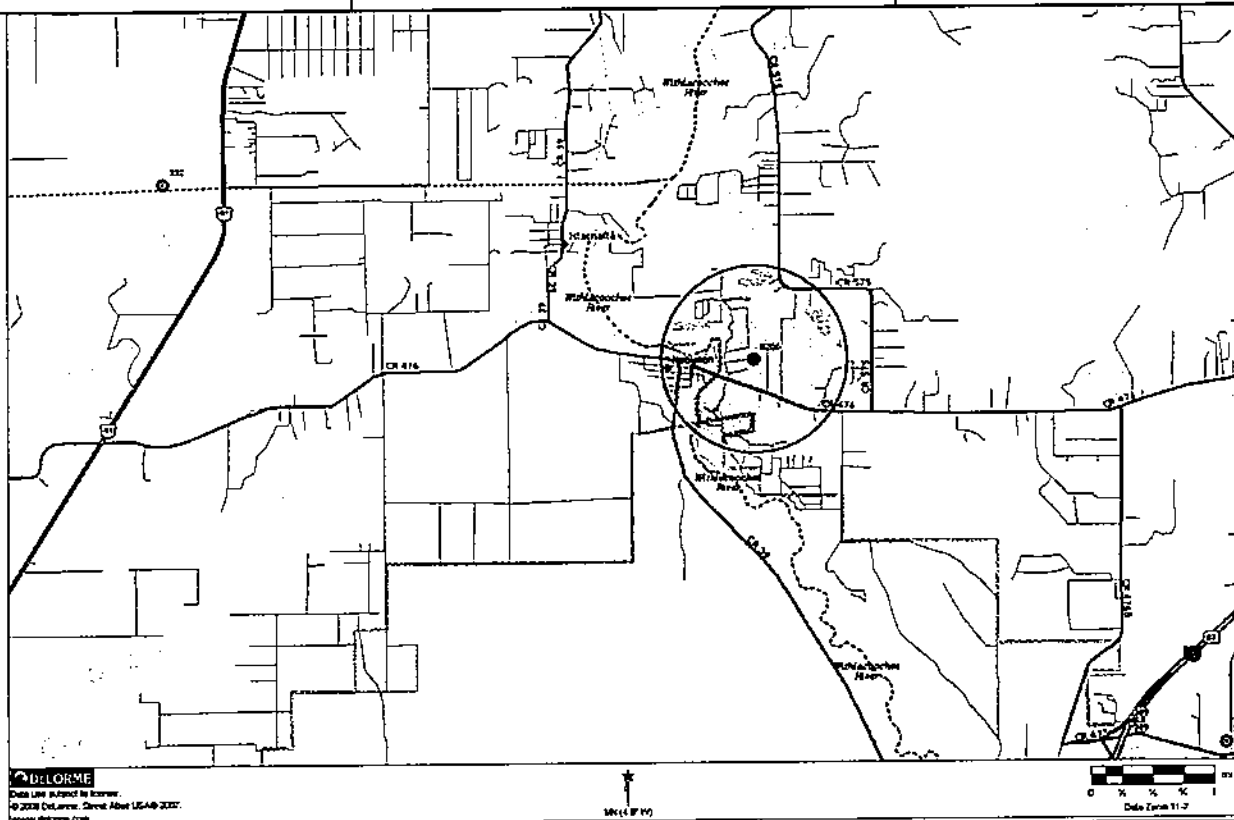
TOWER MATERIALS



Search Area Description

88255
Nobleton

Issued By: Marc Bahn
Tampa RF Department



Subcamp:

County: Sumter

Ring Size = .75mi

Design Parameters:

		Design Site			Design Site Coordinates
	Height	220' ht.	ft AGL	Lat:	28-38-47
Allowable Range	Height		ft AMSL	Long:	-82-15-08
Antenna Configuration:	3-Sector				

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Target Location 1	Raw Land	Target Location 2	
Comments:		Comments:	
Site Name:		Site Name:	
Address:		Address:	
Contact Name:		Contact Name:	
Contact Phone:		Contact Phone:	



June 16, 2009

Verizon Wireless
12802 Tampa Oaks Blvd.
Suite 450
Temple Terrace, FL 33637

Sumter County
910 N. Main Street
Bushnell, FL 33513

Re: Confirmation of No Available Towers or Tall Structures –
Verizon Wireless 88255 – Nobleton

To Whom It May Concern:

On behalf of Verizon Wireless, I confirm that there are no existing towers or suitable tall structures that meet the criteria for collocation in Verizon Wireless' 88255 – Nobleton designed search area. I have reviewed the design created by Marc Bahn, RF Engineer, and agree to the placement of the proposed location.

Sincerely,

A handwritten signature in black ink, appearing to read "T. A. Giacomo".

Thomas A. Giacomo, P.E.
Sr. Performance Engineer
Verizon Wireless

A handwritten signature in black ink, appearing to read "The Andy H.", with the date "6/16/09" written below it.

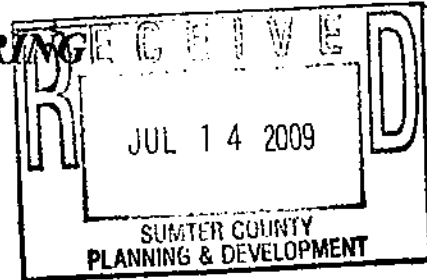
Board of Sumter County Commissioners

Division of Planning & Development

Planning Department

910 North Main Street, Suite 301 • Bushnell, FL 33513-6146 • Phone (352) 793-0270 • FAX: (352) 793-0274
SunCom: 665-0270 • Website: <http://sumtercountyfl.gov/>

NOTICE OF PUBLIC HEARING



July 8, 2009

STEPHENS FRANCES P
7391 CR 663
BUSHNELL, FL33513

To property owners whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name FE & Kathleen Stephens. This property is being considered for a Special Use Permit at a public hearing.

CASE# S2009-0012 REQUESTED ACTION: Minor Special Use Permit to allow a 199' telecommunications tower.

A public hearing before the Sumter County Zoning and Adjustment Board will be held at 910 North Main Street, in Room 142, Bushnell, Florida on Monday, August 3, 2009 at 6:30 p.m.

The property is located as follows: Bushnell Area: West on C-476. North on CR 663. The property is located approximately ½ on the east side of the road.

Written comments filed with the Zoning and Adjustment Board, 910 North Main Street, Suite 301, Bushnell, Florida 33513 will be heard. Hearings may be continued from time to time as found necessary. Any questions you may have should be directed to: SUMTER COUNTY ZONING AND BUILDING DEPARTMENT, 910 North Main Street, Suite 301, Bushnell, Florida 33513.

☒ I approve of the above.
☐ I do not approve of the above for the following reason(s): _____

Please return no later than July 24, 2009 RE: CASE# S2009-0012.

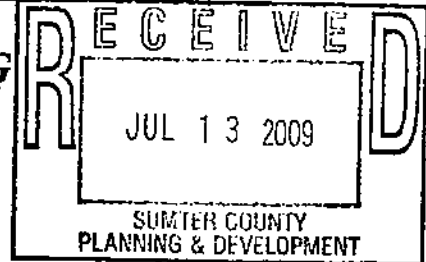
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SunCom: 665-0270 • Website: <http://sumtercountyfl.gov/>

NOTICE OF PUBLIC HEARING



July 8, 2009

HEIM ROBERT A & BETTY SUE
7554 CR 663
BUSHNELL, FL33513

To property owners whose property boundaries are within a distance of 150 feet of the outside perimeter of property in the name FE & Kathleen Stephens. This property is being considered for a Special Use Permit at a public hearing.

CASE# S2009-0012 REQUESTED ACTION: Minor Special Use Permit to allow a 199' telecommunications tower.

A public hearing before the Sumter County Zoning and Adjustment Board will be held at **910 North Main Street**, in Room 142, Bushnell, Florida on **Monday, August 3, 2009** at **6:30 p.m.**

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☒ I approve of the above.
☐ I do not approve of the above for the following reason(s): _____

Please return no later than July 24, 2009 RE: CASE# S2009-0012.

Oh Happy Day !!!

